

REMARKS

The enclosed is responsive to Examiner's Office Action mailed on February 8, 2006. At the time Examiner mailed the Office Action claims 1-18, and 24-28 were pending. By way of the present response Applicants have: 1) amended no claims; 2) added no new claims; and 3) canceled no claims. As such, claims 1-18, and 24-28 are now pending. Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

35 U.S.C. §112 Rejections

Claims 1, 7, 10, 12, and 14 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. More specifically, the claims are rejected by the present action as reciting the feature "dividing the audio sequence into a plurality of equally-sized audio data groups" without sufficient support in the specification.

Applicants respectfully submit that the feature "dividing the audio sequence into a plurality of equally-sized audio data groups" is supported in the specification. On page 7, the original specification recites "...each audio data group (measuring 100 milliseconds)..." (emphasis added). Paragraph 0016, line 5. Since each audio data group is 100 milliseconds, the audio data groups are equally-sized. In addition, Figure 3 clearly illustrates that the audio data groups

(e.g., “Black”, “Herring”, “named”, etc.) are 100 milliseconds. Accordingly, the audio data groups are equally-sized.

On page 8, the specification recites, “...each packet 402 includes two audio data groups 404, 406 totaling 200 milliseconds of audio data.” (emphasis added). Paragraph 0017, lines 5-7. Two audio data groups total 200 milliseconds because each audio data group is 100 milliseconds, which is equally-sized. In addition, figures 4A-4B illustrate that the audio data groups are equally-sized because the widths of all boxes 404, 406 are equally-sized.

On page 11, the specification recites, “...the text of the word should not be advanced when the size of the word is larger than the selected [audio data group] size.” (emphasis added). Paragraph 0022, lines 14-15. The one size to divide all of the audio data groups into is selected, thus making the audio data groups equally-sized (i.e., the selected size).

On page 12, the specification recites, “Further, packets may be configured to be longer than the 200-millisecond size illustrated in the above embodiments. Hence, one data packet may include more than two audio data groups.” (emphasis added). Paragraph 0023, lines 15-19. Size of a packet may be determined by the number audio data groups that are included in the packet. The size of the packet can be determined because the audio data groups are equally-sized (e.g., 100 milliseconds each).

As a result, support exists in the specification for the feature “dividing the audio sequence into a plurality of equally-sized audio data groups.” Therefore,

Applicants respectfully request the removal of all 35 USC §112 rejections against claims 1, 7, 10, 12, and 14

35 U.S.C. §103 Rejections

Claims 1-6, 10, 12, 14, and 24-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Witteman, U.S. Patent Publication 2002/0055950 (hereinafter "Witteman"). Claims 7-9, 11, 13, and 15-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Witteman in view of Ishii, U.S. Patent 6,778,493 (hereinafter "Ishii").

In reference to claims 1, 7, 10, 12, and 14, Applicants respectfully submit that neither Witteman nor Ishii teach or suggest all of the features of the claims. More specifically, Witteman and Ishii do not describe dividing an audio sequence into a plurality of equally-sized audio data groups.

The present action refers to Witteman at paragraph 0010 and figure 3, elements 444, 446, and 448, as describing the feature of equally dividing an audio sequence into a plurality of equally-sized audio data groups. In discussing the feature, the present action states that, "[t]emporally aligning the audio and text information in seconds [in Witteman] is 'equally' dividing the groups into equally sized segments." Page 4, lines 6-8, of the present action. Applicants respectfully disagree with the assertion that "aligning" is equivalent to "dividing."

Applicants respectfully submit that Witteman merely describes aligning a text stream to an audio stream, not dividing the audio stream itself (see, e.g., paragraph 0010). In relation to Figure 3, step 448 represents determining the

measure of time closed captioning is delayed in reference to the audio stream. For example, for live television shows, the time needed for a typist to create captioning causes a delay between when audio is received and when closed captioning relating to the audio is received. Step 448 merely measures the delay between receiving the audio stream and receiving the caption stream. The illustration of seconds is merely to help demonstrate that the delay is determined by some time measure. See paragraphs 0057-0059 and Figure 3. Therefore, step 448 does not describe dividing an audio stream.

Steps 444 and 446 illustrate isolating the entire audio stream and the entire caption stream, respectively, from the presentation. See *Id.* Hence, steps 444 and 446 do not describe dividing the audio stream into audio data groups. Therefore, the steps of Figure 3 do not describe dividing an audio sequence into equally-spaced audio data groups.

Thus, Applicants respectfully submit that Witteman in view of Ishii does not teach or suggest dividing an audio sequence into a plurality of equally-sized audio data groups.

As a result, Applicants respectfully submit that claims 1, 7, 10, 12, and 14 are in condition for allowance.

Since claims 1-6, 8-9, 11, 13, 15-18, and 24-28 depend from independent claims 1, 7, 10, 12, or 14 and include additional features, claims 1-6, 8-9, 11, 13, 15-18, and 24-28 are also in condition for allowance.

CONCLUSION

Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,

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